

Rutherford and Buncombe, each to appoint a Commissioner to examine and receive so much of said Road as may be situate in their respective Counties, and shall be completed according to the foregoing provisions. Whenever the said Road shall be received, as aforesaid, then it may be lawful for said Company to erect a toll-gate or gates at some convenient place on said Road, at which said Company may demand, and be entitled to receive, not exceeding the following rates of toll: that is to say, for a man and horse, twelve and a half cents; for loose horses and mules, six and a quarter cents each; for hogs and sheep, two cents each; for cattle, three cents per head; for five and six horse wagons, one dollar and twenty-five cents; for four horse wagons, one dollar; for two or three horse wagons, fifty cents; for one horse wagons or carts, twenty-five cents; for gigs and sulkies, fifty cents; for four wheeled carriages of pleasure, one dollar; for every animal intended for exhibition, seventy-five cents. And that no coach or stage, in which the mail shall be transported, shall be subject to a toll exceeding three dollars per week.

Toll gates
may be erected.

Rates of toll

VII. *Be it further enacted*, That the said Commissioners appointed to lay off said Road, shall have power to assess the damage in favor of any person through whose lands the said Road may pass; and in case the owner of said lands shall object to such assessment, and demand a Jury to assess said damages, then and in that case, said Commissioners shall summon a Jury of good and lawful men, unconnected, who first being sworn to assess the damages, taking into consideration any advantage said Road may be to the owners of said land, shall, upon their oaths, assess the same; and such assessment, whether by the Commissioners or said Jury made, the same shall be certified by the Commissioners, or a majority of them, and delivered to the owners of said lands, payable by the Stockholders of said Company, and recoverable before any competent jurisdiction in this State, in the names and for the said owners.

Damages how
to be assessed.

VIII. *Be it further enacted*, That said Road shall be, and is hereby declared to be when completed, a Public Highway.

Said road to
be a public
highway.